

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Dana Stengel on 25 January 2011.

3. The application has been amended as follows:

4. **Claims 1 and 2 have been cancelled and new claims 3 and 4 substituted therefore as follows:**

5. - - **3.** A used chewing gum wrapping comprising:

an upper part and a lower part of identical form and size, the two parts joining at a center fold, and wherein on either side of the center fold, one tab extends from the margins of the upper part;

each tab is located at a distance from the center fold, wherein the

distance of each tab from the center fold is less than or equal to  $\frac{1}{4}$  of the

circumference of the upper part;

the upper part and lower part and the lower part are folded together at the center fold;

each of the upper part and lower part having two parallel creases

extending linearly through the part and positioned perpendicularly to, and on either side of the center fold;

Art Unit: 1782

wherein the two parts are attached together along their margins partially by the center fold and the two tabs,

the tabs folding inward towards the center of the upper part and adhering to an opposite position on the lower part;

the opposite position located a like distance from the center fold as the distance of the tab from the center fold; and

the adhered configuration characterized in that parts are thereby attached together along their margins partially from one-third to one half of the circumference of the parts, thereby forming the wrapping.- - ;

6. - - 4. A method of disposing used chewing gum using a wrapping: wherein the wrapping comprises:

an upper part and a lower part of identical form and size, the two parts joining at a center fold, and wherein on either side of the center fold, one tab extends from the margins of the upper part;

each tab is located at a distance from the center fold, wherein the

distance of each tab from the center fold is less than or equal to  $\frac{1}{4}$  of the

circumference of the upper part;

the upper part and lower part and the lower part are folded together at the center fold;

each of the upper part and lower part having two parallel creases extending linearly

through the part and positioned perpendicularly to, and on either side of the center fold;

wherein the two parts are attached together along their margins partially by the center fold and the two tabs,

Art Unit: 1782

the tabs folding inward towards the center of the upper part and adhering to an opposite position on the lower part;

the opposite position located a like distance from the center fold as the distance of the tab from the center fold; and

the adhered configuration characterized in that parts are thereby attached together along their margins partially from one-third to one half of the circumference of the parts, thereby forming the wrapping, the method of using the wrapping consisting the steps of: squeezing two sides of the wrapping with the fingers of one hand, thereby opening the wrapping;

the opening formed by the squeezing characterized by having an aperture width at the edge opposite the attached margin greater than the width between the upper and lower part at points nearer the attached margin; thereafter, spitting used chewing gum into the wrapping from the mouth without direct contact with the fingers;

thereafter, pressing the upper and lower parts together; **and**

**thereafter, discarding the wrapping. - -**

7. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose or fairly teach the recited wrapping for used chewing gum where an upper part and a lower part of identical form and size are joined at a center fold, on either side of the center fold, the lower part are folded together at the center fold and the parts are partially held together by two tabs such that the wrapping

Art Unit: 1782

can be opened using one hand to a much greater extent than the prior art of record, and the method of disposing used chewing gum using the recited wrapping material.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAIM SMITH whose telephone number is (571)270-7369. The examiner can normally be reached on Monday-Thursday 7:30-5:00.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. S./

Application/Control Number: 10/595,118

Page 6

Art Unit: 1782

Chaim Smith

Examiner, Art Unit 1782

25 January 2011

/Rena L. Dye/

Supervisory Patent Examiner, Art Unit 1782